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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,915	02/22/2002	Randy Harris	291958173US1	7799

25096 7590 10/16/2003

PERKINS COIE LLP  
PATENT-SEA  
P.O. BOX 1247  
SEATTLE, WA 98111-1247

EXAMINER

VALENTINE, DONALD R

ART UNIT	PAPER NUMBER
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1742

DATE MAILED: 10/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/080,915

Applicant(s)

HARRIS ET AL.

Examiner

Donald R. Valentine

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1742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) 33-56 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-27 is/are allowed.
- 6) ☒ Claim(s) 1,2,12,14 and 28 is/are rejected.
- 7) ☒ Claim(s) 3-11,13,15-20 and 29-32 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☒ Interview Summary (PTO-413) Paper No(s). 5.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## DETAILED ACTION

### *Election/Restriction*

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 33-56, drawn to a method for processing microelectronic workpieces, classified in class 205, subclass 1+.

II. Claims 1-32, drawn to an apparatus for processing microelectronic workpieces, classified in class 204, subclass 198+.

2. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the process as claimed can be practiced by another materially different apparatus or by hand, ie. an apparatus which does not require an input/output station configured to support at least one microelectronic workpiece for automatic transfer to and from the processing stations; and/or an automatically moveable transfer device positioned proximate to the input/output station and the processing stations.

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3. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

4. During a telephone conversation with John M. Wechkin on 5/14/03 a provisional election was made without traverse to prosecute the invention of Group II -- apparatus, claims 1-32.

Affirmation of this election must be made by applicant in replying to this Office action.

Claims 33-56 have been withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

*Donald R. Valentine*  
DONALD R. VALENTINE  
PRIMARY EXAMINER  
GROUP 1100  
1742

### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

#### *Claim Rejections - 35 USC § 102*

2. Claims 1-2, 12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Ryerson et al.

Ryerson et al show a “plurality of processing stations” (processing tanks) being “manually accessible” (tanks being mounted on a table), at least one of the tanks (processing station), including an “application station” (a plating tank) for plating on transistors (microelectronic workpieces), and an “input/output station” (loading and unloading stations), and a conveyor means (transfer device) for automatically moving the workpieces between the loading and unloading stations. See col. 2, lines 10-65; col. 3, lines 41-75; col. 5, lines 10-20; col. 7, lines 1-40 and 59-75; col. 10, lines 35-45 and 64-70; col. 13, lines 55-75; and col. 14, lines 1-6.

As for claim 2, the level control is shown as a “weir”. See Figure 3, items 128, 129, 132 and col. 5, lines 15-22 and col. 15, lines 30-35.

As for claim 12, the reference provides a canopy, which is considered a “shield” because the canopy provides “restricted access” to the apparatus within the canopy by the user. See col. 3, lines 68-72.

3. Claim one is rejected under 35 U.S.C. 102(b) as being anticipated by Francis et al, (4,155,815).

The reference shows a plurality of processing stations, which appear to be manually accessible in that the equipment is in a cabinet with waist high counter area and access doors. (See col. 4, lines 30-65). The apparatus has a conveyor (transfer device) (col. 4, lines 10-20) with a loading and unloading end which constitute an "input and output station". The system electroplates printed circuit boards, which are being considered as "microelectronic workpieces". The workpieces are automatically transferred from station to station.

4. Claim 28 is rejected under 35 U.S.C. 102(b) as being anticipated by Reardon et al. Reardon et al show apparatus with a plurality of processing stations, input/output station manually accessible to the user for manual loading of wafers and thermal treatment station. See col. 3, lines 45-67; col. 4, lines 1-30, col. 5, lines 1-10; col. 11, lines 29-60; col. 13, lines 4-11; and col. 15, lines 14-20).

#### ***Specification***

5. The disclosure is objected to because of the following informalities: The cross reference to applications on page 1 has missing text.

Appropriate correction is required.

#### ***Election/Restrictions***

6. Applicant's election without traverse of claims 1-32 in Paper No. 5 is acknowledged.

#### ***Allowable Subject Matter***

7. Claims 21-27 are allowed.

8. Claims 3-11, 13, 15-20 and 29-32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: The references of record do not show or suggest apparatus comprising a plurality of processing stations being manually accessible to a user, at least one of the processing stations being a material removal station, an input /output station for automatically transferring workpieces to and from the processing stations and a transfer device proximate the input/output station and processing stations and being automatically movable for transferring workpieces between the input/output station and the processing stations.

#### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rochefort shows "manually accessible processing stations".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald R. Valentine whose telephone number is 703-308-3327.

The examiner can normally be reached on Monday-Friday 9:30-6:00.

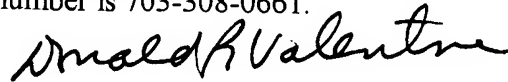
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on 703-308-1146. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

A handwritten signature in black ink, appearing to read "Donald R. Valentine". The signature is written in a cursive, flowing style.

Donald R. Valentine  
Primary Examiner  
Art Unit 1742

drv  
October 8, 2003